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**To:**

NAME:	FACSIMILE:	TELEPHONE:
<b>MS Amendment United States Patent and Trademark Office</b>	<b>(703) 872-9306</b>	<b>(571) 272-1921</b>

**FROM:** Charles D. Holland

**DATE:** January 5, 2005

Number of pages with cover page:	17	
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**Comments:**

Comments: **RESPONSE TO NON-FINAL OFFICE ACTION**

DOCKET NO.: 299002056700

GROUP ART UNIT: 2826

EXAMINER: A. Sefer

SERIAL NO.: 10/625,234

FILING DATE: July 22, 2003

INVENTOR(S): Kentaro TANI

TITLE: SEMICONDUCTOR LIGHT EMITTING DEVICE AND METHOD FOR PRODUCING THE SAME

Papers attached:

1. Transmittal (1 page)
2. Fee Transmittal w/duplicate copy for fee processing (2 pages)
3. Petition for Extension of Time (1 page)
4. Amendment/Response (12 pages)

PA-946706

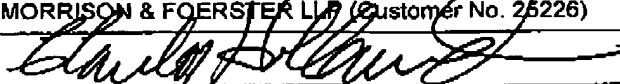
PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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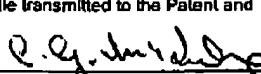
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/625,234
		Filing Date	July 22, 2003
		First Named Inventor	Kentaro TANI
		Art Unit	2826
		Examiner Name	A. Sefer
Total Number of Pages in This Submission	16	Attorney Docket Number	299002056700

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate for fee processing (2 pages) <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Charles D. Holland		
Date	January 5, 2005	Reg. No.	35,196

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-0308, on the date shown below.

Dated: January 5, 2005

Signature: 

(Carolyn G. McKubre)

pa-946678

PAGE 2/17 \* RCVD AT 1/5/2005 4:44:50 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/11 \* DNIS:8729306 \* CSID: \* DURATION (mm:ss):04:46

PTO/SB/17 (12-04)

Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>Effective on 12/08/2004. Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b>		<b>Complete If Known</b>	
<b>FEE TRANSMITTAL For FY 2005</b>		Application Number	10/625,234
		Filing Date	July 22, 2003
		First Named Inventor	Kentaro TANI
		Examiner Name	A. Sefer
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	2826
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\\$) 120.00</b>	Attorney Docket No.	299002056700

<b>METHOD OF PAYMENT</b> (check all that apply)					
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify)	
<input checked="" type="checkbox"/> Deposit Account		Deposit Account Number	03-1952	Deposit Account Name	Morrison & Foerster LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)					
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee			
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments			

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee Paid (\$)
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00
<b>2. EXCESS CLAIM FEES</b>							
<b>Fee Description</b>							
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent							
50 25							
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent							
200 100							
Multiple dependent claims							
360 180							
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims			
20	- 20 = 0	x 50.00	= 0.00	Fee (\$)	Fee Paid (\$)		
360.00 0.00							
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)				
3	- 3 = 0	x 200.00	= 0.00				
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
- 100 =	/50	(round up to a whole number) x 250.00	= 0.00				
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)							
Other: 1251 Extension for response within first month							
120.00							

<b>SUBMITTED BY</b>					
Signature			Registration No. (Attorney/Agent)	35,198	Telephone
Name (Print/Type)	Charles D. Holland		Date	January 5, 2005	

pa-946677



CENTRAL FA 006/017  
JAN 05 2005

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Dated: January 5, 2005

Signature:   
(Carolyn G. McKubre)

Docket No.: 299002056700  
Client Ref. No: F5-03859172/03R00206/US  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Kentaro TANI

Application No.: 10/625,234

Art Unit: 2826

Filed: July 22, 2003

Examiner: A. Sefer

For: SEMICONDUCTOR LIGHT EMITTING  
DEVICE AND METHOD FOR PRODUCING  
THE SAME

### AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

#### INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated September 8, 2004 (Paper No. 20040906), for which a response was due on December 8, 2004. Filed herewith is a Petition and fee for a one month extension of time, thereby extending the deadline for response to January 8, 2005. Accordingly this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

pa-922999